

§ 220.1

- 220.27 Identification.
- 220.29 Statement of letters and numbers.
- 220.31 Initiating a transmission.
- 220.33 Receiving a transmission.
- 220.35 Ending a transmission.
- 220.37 Voice test.
- 220.39 Continuous monitoring.
- 220.41 Notification on failure of train radio.
- 220.43 Communication consistent with rules.
- 220.45 Communication must be complete.
- 220.47 Emergencies.
- 220.49 Switching, backing or pushing.
- 220.51 Signal indications.

Subpart C—Train Orders

- 220.61 Transmission of train orders by radio.
- APPENDIX A TO PART 220—RECOMMENDED PHONETIC ALPHABET
- APPENDIX B TO PART 220—RECOMMENDED PRO-NUNCIATION OF NUMERALS
- APPENDIX C TO PART 220—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20103, 20107, 20111, 20112, 21301, 21304, 21311 (1994) (formerly codified at 45 U.S.C. 431, 437, 438); Pub. L. 103-272 (1994); and 49 CFR 1.49(m).

SOURCE: 42 FR 5065, Jan. 27, 1977, unless otherwise noted.

Subpart A—General

§ 220.1 Scope.

This part prescribes minimum requirements governing the use of radio communications in connection with railroad operations. The term “radio communications” refers to the transmission and reception of voice communications by radio. So long as these minimum requirements are met, railroads may adopt additional or more stringent requirements.

§ 220.3 Application.

(a) Except as provided in paragraph (b) of this section, this part applies to railroads that operate trains or other rolling equipment on standard gage track which is part of the general railroad system of transportation.

(b) This part does not apply to:

- (1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation; or
- (2) Rapid transit operations in an urban area that are not connected with

49 CFR Ch. II (10–1–96 Edition)

the general railroad system of transportation.

[42 FR 5065, Jan. 27, 1977, as amended at 53 FR 28600, July 28, 1988]

§ 220.5 Definitions.

As used in this part, the term:

(a) *Employee* means any person who is authorized by a railroad to use its radio facilities in connection with railroad operations.

(b) *Railroad operation* means any movement of a train, engine, on-track equipment, or track motor car, single or in combination with other equipment, on the track of a railroad.

(c) *Train Order* means any mandatory directive issued as authority for the conduct of a railroad operation which is transmitted by radio.

(d) *Division headquarters* means the location designated by the railroad where a high-level operating manager (e.g., a superintendent, division manager, or equivalent), who has jurisdiction over a portion of the railroad, has an office.

(e) *System headquarters* means the location designated by the railroad as the general office for the railroad system.

[42 FR 5065, Jan. 27, 1977, as amended at 59 FR 43071, Aug. 22, 1994]

§ 220.7 Penalty.

Any person (including a railroad and any manager, supervisor, official, or other employee or agent of a railroad) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$250 and not more than \$10,000 per violation, except that: Penalties may be assessed against individuals only for willful violations, and, where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty not to exceed \$20,000 per violation may be assessed. Each day a violation continues shall constitute a separate offense. See appendix C to this part for a statement of agency civil penalty policy.

[53 FR 28600, July 28, 1988, as amended at 53 FR 52930, Dec. 29, 1988]